

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PATRICIA JACOX, Husband and Wife;
and ANDREW JACOX, Husband and
Wife;

Plaintiffs,

vs.

WAL-MART STORES, INC., MATT
STRECKFUSS,

Defendants.

4:12CV3096

MEMORANDUM AND ORDER

Upon review of the parties' filings,

- 1) The plaintiffs' motion to withdraw their amended complaint, (filing no. 15), is granted, and the defendant's motion to strike the amended complaint, (filing no. 11), is denied as moot.
- 2) The clerk shall strike the amended complaint (filing no. 5), and terminate Matt Streckfuss as a named defendant in this case.
- 3) The plaintiffs' motion to withdraw, (filing no. 14), is granted, and the motion to remand, (filing no. 8), is withdrawn.
- 4) Counsel for the parties shall confer and, on or before **July 10, 2012**, they shall jointly file a Form 35 (Rule 26 (f)) Report, a copy of which can be found in Word and WordPerfect format at <http://www.ned.uscourts.gov/forms/>.
- 5) If one or more of the parties believes a planning conference is needed to complete the Rule 26(f) Report, or if the parties cannot agree on one or more of the deadlines identified or case progression issues raised in the attached Rule 26(f) Report, on or before, **July 3, 2012**, a party shall contact my chambers at (402) 437-1670, or by email addressed to zwart@ned.uscourts.gov, to arrange a conference call.

Dated this 12th day of June, 2012.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge